

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: June 18, 2003
Bulk Item: Yes _____ No X

Division: Growth Management
Department: N/A

AGENDA ITEM WORDING: Public hearing to consider the adoption of an ordinance amending Section 6-27(D)(2), Monroe County Code to provide for full exemption from building application and permitting fees for affordable housing construction projects receiving financial assistance from Monroe County.

ITEM BACKGROUND: Chapter 6.0 of the Monroe County Code identifies specific entities and activities, which may be exempt from building application and permit fees. The current code does not provide for any exemption for new affordable housing projects that are not owned by a County entity, such as the Housing Authority.

Therefore these projects, even if they receive financial assistance from Monroe County such as Meridian West on Stock Island, are required to pay full building application and permitting fees, which generally amount to \$2,000 per unit. These permitting fees not only add to the cost of the housing, but place the County in the awkward position of one arm of County government providing assistance to make the project more affordable, while another arm of County government is taking money away to make the project less affordable.

The staff believes that the public interest would be better served by providing an exemption on any affordable housing projects which receive financial support from the County. In addition, the staff is recommending in this amending ordinance that this exemption be retroactively applied to all eligible affordable housing projects for which building permit applications have been submitted after March 31, 2003. [This proviso will allow the County to exempt the Meridian West affordable housing project from payment of building application and fees.]

The BOCC approved to advertise the amending ordinance for a June 18, 2003, 3:00 p.m. public hearing in Marathon. Only one public hearing required.

PREVIOUS RELEVANT BOARD ACTION: Adopted Ordinance 010-2002 amending Chapter 6, Monroe County Code to implement new Florida Building Code and authorized advertising of proposed ordinance on May 21, 2003.

CONTRACT/AGREEMENT CHANGES: N/A

STAFF RECOMMENDATION: Approval

TOTAL COST: Less than \$50,000/year **BUDGETED:** Yes _____ No _____ N/A _____

COST TO COUNTY: Less than \$50,000/year **SOURCE OF FUNDS:** N/A

REVENUE PRODUCING: Yes _____ No X (Revenue loss) **AMOUNT PER MONTH** N/A **YEAR** _____

APPROVED BY: County Attorney X OMB/Purchasing N/A Risk Management _____ N/A _____

DIVISION DIRECTOR APPROVAL: _____
Timothy J. McGarry, AICP

DOCUMENTATION: Included X To follow _____ Not Required _____

DISPOSITION: _____ **AGENDA ITEM #:** VI

ORDINANCE NO. -2003

AN ORDINANCE AMENDING BUILDINGS AND CONSTRUCTION, SECTION 6-27 (D)(2) (FEES), MONROE COUNTY CODE; PROVIDING FOR FULL EXEMPTION FROM MONROE COUNTY PERMITTING FEES FOR AFFORDABLE HOUSING CONSTRUCTION PROJECTS RECEIVING COUNTY FINANCIAL ASSISTANCE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the County has a demonstrated and urgent need for more affordable housing;

WHEREAS, the average cost of housing in the County is among the highest in the State of Florida;

WHEREAS, permitting fees add at least \$2,000 to the average cost of building a house; and,

WHEREAS, the Board of County Commissioners of Monroe County recognizes and is committed to addressing the problem of affordable housing to meet the social and economic needs of County residents; and,

WHEREAS, Chapter 6, Monroe County Code, does not explicitly authorize the exemption from Monroe County building application and permitting fees for the construction of affordable housing projects by for-profit or not-profit organizations that receive financial support from the County; and,

WHEREAS, the exemption of permitting fees for construction of affordable housing receiving financial assistance from the County is in the public interest and helps to make such housing more affordable;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, THE FOLLOWING:

Section 1. Section 6-27(d)(2), Monroe County Code is hereby amended to add subparagraph "d." that reads as follows:

“d. Construction of affordable housing projects, as defined under the Florida Statutes or chapter 9.5, receiving financial assistance from Monroe County.”

Section 2. Any affordable housing construction project made eligible for a fee exemption authorized by this ordinance shall be entitled to the fee exemption if the building permit application for the project was submitted to the Monroe County Building Department after March 31, 2003.

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

Section 5. This ordinance shall take effect immediately upon receipt of the official notice from the Office of the Secretary of State of the State of Florida that this ordinance has been filed with said Office.

Section 6. The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the County of Monroe, Florida, as an addition, or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

Section 7. The Clerk of the Court is hereby directed to forward a copy of this Ordinance to the Municipal Code Corporation for incorporation into the Monroe County Code of Ordinances.

[THE REMAINDER OF THIS PAGE IS LEFT INTENTIONALLY BLANK.]

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the 18th of June, AD, 2003.

Mayor Dixie Spehar _____
Mayor Pro Tem Murray Nelson _____
Commissioner Charles "Sonny" McCoy _____
Commissioner George Neugent _____
Commissioner David Rice _____

BOARD OF COUNTY COMMISSIONERS,
MONROE COUNTY, FLORIDA

By: _____
Mayor/Chairman

(SEAL)

Attest: DANNY KOLHAGE, Clerk

By: _____
Deputy Clerk

